

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 6376 of 2022

Sunil Naik

....

Petitioner

Mr. A.K. Das-1, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
17.11.2022

Order No.

02.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioner is an accused in G.R. Case No.198 of 2022, pending in the file of learned S.D.J.M., Dhenkanal, arising out of Motanga P.S. Case No.31 of 2022, offence under Sections 457/394 of IPC and is in custody since 12.02.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned A.D.J.-cum-Special Judge (Vigilance), Dhenkanal by order dated 13.06.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted that the petitioner has been implicated on the basis of statement of the co-accused Sunil Kumar Mohapatra. It is submitted that since the Said Sunil Ku. Mohapatra have been released on bail by this Court by order dated 13.06.2022 in BLAPL

No.4851 of 2022 and release of another co-accused Padi@Pradeep Naik by order 18.05.2022 in BLAPL No.3861 of 2022, further continuance of the petitioner in custody is not warranted.

6. Learned counsel for the State opposes the prayer for bail inter alia on the ground of criminal proclivity of the petitioner.

7. Keeping in view the basis of implication, release of the co-accused and filing of the charge sheet, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin over the matter.

8. Taking into account the criminal proclivity of the petitioner, this Court directs the petitioner to appear once every week before the jurisdictional police station on such date and time to be fixed by the learned Court in seisin.

9. Accordingly, the BLAPL stands disposed of.

10. Urgent certified copy of this order be granted as per rules.

(V. NARASINGH)
Judge